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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA,**  
**SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE  
ANTITRUST LITIGATION**

This Document Relates To:

*Epic Games Inc. v. Google LLC et al.*, Case No.  
3:20-cv-05671-JD

*In re Google Play Consumer Antitrust  
Litigation*, Case No. 3:20-cv-05761-JD

*State of Utah et al. v. Google LLC et al.*, Case  
No. 3:21-cv-05227-JD

*Match Group, LLC et al. v. Google LLC et al.*,  
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF EMILY  
CURRAN-HUBERTY IN SUPPORT  
OF DEFENDANTS' OPPOSITION  
TO PLAINTIFFS' MOTION FOR  
SANCTIONS**

Judge: Hon. James Donato

1 I, Emily Curran-Huberty, declare as follows:

2 1. I am an attorney duly admitted to practice law in the State of California and before  
3 this Court. I am a Partner at Munger, Tolles & Olson LLP, and represent the Defendants in this  
4 action. I submit this Declaration in support of Defendants' Opposition to Plaintiffs' Motion for  
5 Sanctions. The contents of this declaration are based on my personal knowledge, including my  
6 personal knowledge of the documents cited herein. The facts set forth herein are within my  
7 personal knowledge and, if called as a witness, I could and would competently testify to them.

8 2. After Plaintiffs raised the issue of chat preservation with the Court, on December 9,  
9 2021, the parties served and responded to additional interrogatories about preservation. However,  
10 the State Attorney General Plaintiffs ("Plaintiff States") categorically refused to respond to any of  
11 the preservation interrogatories.

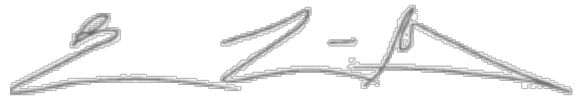
12 3. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff States'  
13 Responses and Objections to Defendants' Preservation Interrogatories.

14 4. The parties met and conferred on February 7 and again on February 17 about the  
15 preservation interrogatories.

16 5. Google repeatedly offered to exchange relevant language from the parties'  
17 respective legal hold notices under a mutual privilege non-waiver agreement. Plaintiffs did not  
18 respond to those offers.

19 6. Following the February 17 meet and confer, Plaintiffs then did not follow up about  
20 these interrogatories until May 6, 2022, when they notified Google that they intended to move for  
21 sanctions.

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23  
24 DATED: November 3, 2022



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26 Emily Curran-Huberty  
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